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08/660,805 06/07/96 LUDWIG

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EXAMINER

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ART UNIT PAPER NUMBER

2317

DATE MAILED: 04/24/97

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- ☒ Notice of References Cited by Examiner, PTO-892.
- ☒ Notice of Draftsman's Patent Drawing Review, PTO-948.
- ☒ Notice of Art Cited by Applicant, PTO-1449.
- ☐ Notice of Informal Patent Application, PTO-152.
- ☐ Information on How to Effect Drawing Changes, PTO-1474.
- ☐

Part II SUMMARY OF ACTION

- ☒ Claims 1-38 are pending in the application.
Of the above, claims 6 are withdrawn from consideration.
- ☒ Claims 1 have been cancelled.
- ☐ Claims _____ are allowed.
- ☒ Claims 2-38 are rejected.
- ☐ Claims _____ are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.
- ☒ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
- ☐ Formal drawings are required in response to this Office action.
- ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
- ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
- ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
- ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.
- ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
- ☐ Other

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Part III DETAILED ACTION

The numbering of claims is not accordance with 37 CFR 1.126. The original numbering of the claims must be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When claims are added, except when presented in accordance with 37 CFR 1.121(b), they must be renumbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Claim 39 has been renumbered to 33 to preserve sequential numbering of the claims.

Claim 25 is rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention. The references to the "first participant" and "second participant" are reversed in claim 25.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 2, 5, 7-10, 22, 23, 26, 29, 31, 33 is rejected under 35 U.S.C. 102(a) as being anticipated by Rangan et al. "Software Architecture for Integration of Video Services in the Etherphone System".

As per claim 23, Rangan teaches a method for teleconference among participants essentially as claimed, comprising the step of:

a) detecting an incoming teleconference call [p.1398 fig.4 - Notif], at the workstation of a first participant [p.1399 4th paragraph - "...pictures are display... when he is notified of an incoming call"];

b) notifying the first participant [fig.4 - ring] of the identity of each participant forming the teleconference call [p. 1397 col.1 lines 3-5]; and

c) providing the first participant with option of accepting the incoming teleconference call [p.1397 col.1 lines 1-2].

As per claim 2, it is rejected under similar rationale as for claim 23 above. Rangan discloses that a participant can be in multiple conferences [p.1400]. It is apparent that when a second call come in the first participant would be notified of the call the participant in the calls.

As per claims 5 and 26, Rangan disclosed indicating priority teleconference call [apparent from p.1399 col.1 first paragraph].

As per claims 7 and 28, Rangan teaches placing active call on hold and accepting incoming call [p.1401 col.1 first paragraph - 'relegated to background', and last sentence of third paragraph].

As per claims 8 and 29, Rangan teaches indicating status of the call to the first participant [p.1398 col.1 third paragraph "Conference Model"].

As per claim 9, Rangan teaches displaying the originator of the call [p.1397 1st paragraph].

As per claims 10 and 31, Rangan teaches adding participant to the conference [p.1401 col.1 2nd paragraph "The caller ... can add or delete recipients ... dynamically."]

As per claims 22, 33, Rangan teaches placing a participant on hold [p.1401 col.2 2nd paragraph "Any participant can change his desired access modes or reselect his foreground conference", 3rd paragraph "Users can ...switching between conferences by changing the mode of access ... so as to put it on hold..."].

Rangan teaches disconnect a participant while maintaining the conference [p.1401 col.1 2nd paragraph "The caller ... can add or delete recipients ... dynamically."]

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3-4, 6, 24-25, 27, 32, 34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Etherphone system as disclosed by Rangan "Software Architecture for Integration of Video Services in the Etherphone System".

As per claims 3 and 24, Rangan does not specifically disclose a 'telephone' and an 'intercom' mode, Rangan discloses assigning priority to conferences, option to accept, and auto accept high priority incoming call [p.1399 col.1 first paragraph and p.1401 first col.1 lines 8-13]. It would have been obvious for one of ordinary skill in the art to assign high priority to 'intercom' call than 'telephone' call because 'intercom' call is a 'group/organizational' call which has higher need for immediate attention than a personal one-to-one 'telephone' call.

As per claims 4 and 25, Rangan teaches call maybe decline based on priority assigned by the recipient [p.1399 col.1 first paragraph]. Hence, it is apparent that all incoming call can be blocked. Rangan teaches notifying the refusal to accept the call

[p.1399 col.1 lines 2-3 "busy"] and notifying that an attempt was made to establish the call [p.1398 third paragraph - "init" and "ringback" states].

As per claims 6 and 27, Rangan teaches detecting first participant acceptance of call [p.1399 col.1 2nd paragraph]. Rangan does not specifically disclose not visually displaying at the workstation of the first participant indicating the second participant attempted to call. It is well known in the telephonic art to have answer machine to log incoming telephone calls (e.g. answer machine) so as to notify the recipient of the call and facilitate callback. Hence, it would have been obvious for one of ordinary skill in art to do the same in the video conference call to log incoming video conference call so as to enable video conference recipient to be notified of the call and facilitate callback. Rangan system uses graphical interface, hence it is apparent that one would have used visual indication means.

As per claims 11-12 and 32, Rangan does not specifically disclose during a first conference, notifying the second participant of a call from a third caller and adding the third caller to the first conference. Rangan teaches a participant can receive a teleconference call during a first teleconference [apparent from p.1400] and a 'caller' [i.e. 'second participant'] can add recipients dynamically [p.1401 2nd paragraph]. Since a

'caller' can dynamically add recipient, it is apparent that a user of Rangan system has the capability to add the third caller to his pending first conference if he so desired.

As per claims 13 and 34, Rangan teaches an AV signal among the workstations [p. 1396 fig.4];

managing videoconferencing with video and audio [p.1396 col.1 3rd paragraph "... features such as multiple video conferences, and conferences using multiple channels of video and audio."];

Rangan does not specifically disclose maximum call of N, and selecting N calls from M possible calls. one of ordinary skill in the art would have known to enable the user to only select the maximum number (N) of calls supported by the system.

As per claim 14, Rangan teaches selecting which call to be active [p.1401 col.1 "foreground" and "background" conferences].

Claims 15-16, 35-36 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Etherphone system as disclosed by Rangan "Software Architecture for Integration of Video Services in the Etherphone System" and further in view of Cree et al. US patent 4,817,018.

As per claims 15-16 and 35-36, Rangan does not specifically disclose notifying participant initiating the call that the first participant wishes to postpone the call. However, it is well known in the conferencing art to have the steps for postponing the meeting. Cree teaches providing recipient option to postpone a scheduled meeting and notifying caller. It would have been obvious for one of ordinary skill in the art to provide participant in videoconferencing with option to postpone meeting and notify caller of the status because it would have improved the flexibility of the system.

Claims 17-21, 37, 38 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Etherphone system as disclosed by Rangan "Software Architecture for Integration of Video Services in the Etherphone System" and further in view of Cree et al. US patent 4,817,018 and Hammond et al. US patent 5,155,761.

As per claims 17 and 37, Rangan does not specifically disclose saving particulars with respect to the postponed call and callback using the saved particulars. Hammond teaches saving incoming calls information and time to make callback to the initiator [Abstract]. Hence, it would have been obvious for one of ordinary skill in the art to save the information of a postpone

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videoconference call and using the saved information to provide callback to the initiator.

As per claim 18, 20, 38, it is rejected under similar rationales as for claims 35-37 above.

As per claim 19, Cree teaches indicating the expected deferred time [abstract].

As per claim 21, Rangan teaches recording images of conference call [p.1401 Video server].

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

McGauhey et al. US patent 4,977,520 teaches a calendar for scheduling meeting with reply to the originator.

Baumgartner et al. US patent 5,195,086 teaches a graphical interface for multimedia conferencing.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Dinh whose telephone number is (703) 305-9655. The examiner can normally be reached on Monday-Thursday from 7:00 AM - 4:30 PM. The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee can be reached at (703) 305-9717. The fax phone number for this group is (703) 308-5359.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

A handwritten signature in cursive script, reading "Dung Dinh", is written over a horizontal line.

Dung Dinh
Patent Examiner
April 17, 1997